

**Hearing Officer Meeting Minutes  
April 8, 2021**

A meeting of the City of Yuma's Hearing Officer was held on April 8, 2021, at City Hall Council Chambers, One City Plaza, Yuma, AZ.

**HEARING OFFICER** in attendance was Sonia Ramirez.

**CITY OF YUMA STAFF MEMBERS** present included Rodney Short, Deputy City Attorney; Randall Crist, Interim DCD Director; Alyssa Linville, Assistant Director/Zoning Administrator; Chad Brown, Associate Planner; Amelia Griffin, Associate Planner; Erika Peterson, Assistant Planner and Alejandro Marquez, Administrative Assistant.

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**Ramirez** called the meeting to order at 9:35 a.m.

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**CONSENT CALENDAR**

**Ramirez** approved the minutes of March 11, 2021.

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**PUBLIC HEARINGS**

**VAR-33872-2021:** *This is a request by Anne-Marie Mirante and Richard Fay for a Variance to reduce the side setbacks from 7' to 3'5", the rear yard setback from 10' to 7'4", and increase the allowable height for accessory structures from 15' to 18' for two RV shade structures and two storage trailers in the Recreational Vehicle Subdivision (RVS) District, for the property located at 9732 E. 38<sup>th</sup> Lane, Yuma, Arizona.*

**Erika Peterson, Assistant Planner**, summarized the staff report recommending **DENIAL**.

**QUESTIONS FOR STAFF**

**Ramirez** asked if there had been any other variances approved in this area. **Peterson** replied yes. **Ramirez** went on to say that the applicant stated in the Staff Report that most of the structures in this area did not comply with Zone or Fire Codes set by the City, then asked if that was true. **Peterson** said yes. **Ramirez** then asked if the applicants had hired a Structural Engineer. **Peterson** replied she believes that the applicant had spoken to an engineer. **Ramirez** was concerned about the rain runoff from the awnings on the property affecting the integrity of a nearby wall. **Randall Crist** replied that he had spoken to the applicants about removing the awnings because of the damage that could be done to the wall and adjacent properties. **Ramirez** asked if there was any similar structures in the area. **Crist** replied that he could not accurately answer that question. **Ramirez** then asked if the City would be satisfied if the applicant complied with all the Conditions of Approval. **Peterson** answered that the City would be satisfied if the applicants removed the awnings, had a Structural Engineer design the R.V shade structures to meet City specifications and followed all the Conditions of Approval in Attachment A.

**APPLICANT/APPLICANTS REPRESENTATIVE**

**Richard Fay & Anne-Maria Mirante, 9732 E. 38<sup>th</sup> Lane Yuma AZ, 85364**, were present and available for questions.

**Ramirez** asked if both parties had an understanding of the Conditions of Approval in Attachment A. **Fay** replied yes. **Mirante** also replied yes.

**OPEN PUBLIC COMMENT**

**Gary Keiser** objected to the aesthetics of the proposed project and opposed the Variance.

**DECISION**

**Ramirez** granted the variance, subject to the Conditions of Approval in Attachment A, finding that the four criteria of Yuma City Code §154-03.04(D)(1) had been met.

**VAR-33941-2021:** *This is a request by Guy C. Gale, on behalf of GCG Investments LLC, to reduce the front yard setback from 20' to 0' to allow a fence along the front property line, in the Light Industrial District/Infill Overlay (L-I/O) District, for the property located at 953 S. 3<sup>rd</sup> Avenue, Yuma, AZ.*

**Amelia Griffin, Associate Planner**, summarized the staff report recommending **DENIAL** of the request for a chain link fence along the front property line, however recommending **APPROVAL** of the request for a solid wall along the front property line.

#### **QUESTIONS FOR STAFF**

**Ramirez** asked whether chain link or a solid, would the location of the wall be the same. **Griffin** answered yes. **Ramirez** asked why the approval of a solid wall rather than a chain link fence. **Griffin** replied that it was more for screening purposes.

#### **APPLICANT/APPLICANTS REPRESENTATIVE**

**Guy C Gale 953 S. 3<sup>rd</sup> Avenue Yuma AZ, 85364**, stated that he was in agreement to build a solid wall instead of a chain link fence.

#### **OPEN PUBLIC COMMENT**

None

#### **DECISION**

**Ramirez** granted the variance, in accordance with Staff's recommendation, subject to the Conditions of Approval in Attachment A, finding that the four criteria of Yuma City Code §154-03.04(D) (1) had been met.

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**VAR-33894-2021:** *This is a request by Ronald Pailliotet, on behalf of the City of Yuma, for a variance to reduce the minimum square feet of lot area per multi-family unit from 2,000 square feet to 600 square feet and to eliminate the requirement for on-site parking for a proposed rooftop restaurant in the Old Town (OT) District, for the property located at 46 W. 2<sup>nd</sup> Street, Yuma, AZ.*

**Rodney Short, Deputy City Attorney**, noted that **Ramirez** was not able to hear the case, due to a conflict of interest, and the case would be continued to a different hearing date. He then stated that Staff would give a brief report, and that the case would be open for public comment.

**Alyssa Linville, Assistant Director DCD**, summarized the staff report.

#### **QUESTIONS FOR STAFF**

None

#### **APPLICANT/APPLICANTS REPRESENTATIVE**

**Ronald Pailliotet 4555 W. La Quinta Loop Yuma AZ, 85364**, gave a brief description of the proposed project and then made himself available for questions.

#### **OPEN PUBLIC COMMENT**

**Jim Smith 38 W. 2<sup>nd</sup> Str. Yuma AZ, 85364**, expressed concern about the parking surrounding the proposed multi-family apartment structure.

**Ricky Good 38 W. 2<sup>nd</sup> Str. Yuma AZ, 85364**, expressed concern about the parking in the downtown area.

**Christine McConnaughay 331 S. Madison Ave. Yuma AZ, 85364**, expressed concern about parking in the downtown area.

**Neely Tomkins 78 W. 2<sup>nd</sup> Str. Yuma AZ, 85364**, expressed concern about the parking in the downtown area.



**Ed Bently 67 W 2<sup>nd</sup> Str. Yuma AZ, 85364**, expressed concern about parking in the downtown area.

**Clint Harrington 2975 S. Ave. B Yuma AZ, 85364**, commented on revitalizing the downtown area and future development.

**Christopher Thompson 675 W. 16<sup>th</sup> Str. Yuma AZ, 85364**, stated that they are aware of the parking situation and commented on how the proposed project would improve the appearance of the downtown area.

**Pailliotet** thanked all the business owners for their comments.

#### **DECISION**

**VAR-33894-2021** was continued to the Hearing Officer Meeting of May 13, 2021.

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**Ramirez** adjourned the meeting at 10:45 a.m.

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Minutes approved and signed this 22<sup>nd</sup> day of April, 2021.

  
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Hearing Officer